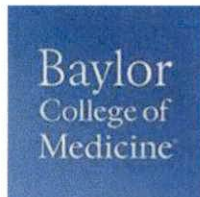


EXHIBIT 7



Policy Type	<input type="checkbox"/> New Policy <input checked="" type="checkbox"/> Revision
Policy Number	02.2.25
Policy Category	Human Resources
Policy Sub-Category	Academic Freedom, Affirmative Action & Equal Employment
Policy Sponsor	Offices of the General Counsel and Human Resources
Approval Authority	Board of Trustees
Last Revised Date	August 17, 2004
Responsible Person/Office	Human Resources-Employee Relations and Student Services-Title IX Coordinator
Next Scheduled Review Date	September 30, 2018

Policy Regarding Harassment, Discrimination and Retaliation

Type

Institution (relates to structure and infrastructure of the organization)

I. Rationale

The purposes of this policy are to 1) address forms of harassment and discrimination in employment and education that are prohibited by Title VII of the Civil Rights Act of 1964, Age Discrimination in Employment Act of 1967, (ADEA), Genetic Information Nondiscrimination Act of 2008 (GINA), and the Americans with Disabilities Act of 1990 (ADA), and 2) distinguish Baylor College of Medicine (BCM or College) investigation, adjudication and appeal procedures for Title IX issues (e.g., sexual harassment) and sex-based discrimination in education, which are addressed in BCM Sexual Misconduct and Other Prohibited Conduct Policy (02.2.26).

II. Stakeholders Affected by this Policy

Compliance with this policy is mandatory for all BCM Community Members.

III. Definitions

BCM Community Members – includes the BCM Board of Trustees, faculty, staff, residents/fellows, postdoctoral trainees, and students enrolled in all schools and programs.

Discrimination – unjust or preferential treatment of a person that is based on their race, color, national origin, religion, sex (including pregnancy and sexual orientation), age (40 years or older), disability, or genetic information. Discrimination includes employment practices or actions that are intentional, but also those that unfairly impact individuals because of their race, color, national origin, religion, sex (including pregnancy), age (40 years or older), disability, or genetic information, whether or not intentional.

Harassment – includes but is not limited to verbal (e.g., slurs, jokes), graphic, or physical conduct related to an individual's race, color, national origin, religion, sex (including pregnancy), sexual orientation, gender identity, age (40 years or older), disability, genetic information, marital or veteran status.

Retaliation – any adverse action threatened or taken against a person because the individual has filed, supported, or provided information in connection with a reported violation of this Policy or engaged in other legally protected activities. Examples of Retaliation include but are not limited to intimidation, threats, and recrimination.

Sexual Harassment - unwelcomed verbal or physical conduct of a sexual nature that is so severe, pervasive or persistent that it interferes with, denies, or limits a person's ability to participate in or benefit from the College's academic environment, educational programs, or activities, and is based on power differentials, quid pro quo, or a hostile environment. Examples of Sexual Harassment include but are not limited to: attempted coercion of an unwilling person into a sexual relationship or experience; repeated subjection to egregious, unwelcomed sexual attention; punishment in response to a refusal to comply with a sexual request; or conditional benefits that require submission to sexual advances or requests.

IV. Policy

A. Standards of Conduct

- i. **Harassment.** BCM prohibits Harassment and Sexual Harassment of and by BCM Community Members.
- ii. **Discrimination and Retaliation.** BCM prohibits Discrimination and Retaliation in all aspects of employment and education, including but not limited to hiring, promotion, evaluation, and educational advancement.
- iii. **Consensual Romantic Relationships.** While consenting adults may enter into a romantic or sexual relationship outside of the work and learning environment, any romantic or sexual relationship between a faculty member and a student or a supervisor and a subordinate is considered inappropriate and unwise. Such relationships undermine the relationship of authority that exists between a faculty member and a student or between a supervisor and a subordinate and are viewed as potentially damaging to the College environment.

B. Interaction between this Policy and the Sexual Misconduct and Other Prohibited Conduct Policy (2.2.26). Sexual Harassment is also prohibited by the BCM Sexual Misconduct and Other Prohibited Conduct Policy (02.2.26). If alleged conduct would be prohibited by both policies, then the Sexual Misconduct Policy will take precedence for purposes of reporting, investigation, adjudication, appeal, and availability of medical and psychological resources. Interim and remedial measures described in the Sexual Misconduct Policy shall also apply.

C. Notice, Reporting and Investigation of Alleged Harassment, Discrimination or Retaliation

- i. **Notice of Allegation.** The Office of Human Resources (OHR) has assigned implementation and management of this Policy to its Employee Relations Team (Team or ERT). If a BCM Community Member believes he/she has experienced or witnessed a violation of this policy, he/she is encouraged to report the allegation directly to the ERT. No additional notice (i.e., notice to the alleged harasser) is required.
 - a. Reporting of allegations of Harassment, Discrimination and Retaliation is voluntary for all BCM Community Members.
 - b. **Special Reporting Obligations for Sexual Harassment.** Notwithstanding anything to the contrary stated in this Policy, if any faculty or staff member becomes aware of conduct targeted at another member of the BCM Community or a BCM guest that may constitute Sexual Harassment under this Policy, the faculty or staff member must report such conduct to the Title IX Coordinator (see Section VII.B.).
- ii. **Reporting Options.**
 - a. **Traditional.** Any BCM Community Member who wishes to report a potential violation of this policy may contact the Human Resources Employee Relations Team directly, or make a report through the Integrity Hotline phone or website (see Section VI.B.ii.):
 - Email: employeerelations@bcm.edu, or
 - Phone: (713) 798-4346.
 - b. **Anonymous.** Any BCM Community Member who alleges a violation of this Policy and wishes to remain anonymous may report via the Integrity Hotline:

- Integrity Hotline Phone: 855-764-7292, or
- Integrity Hotline Website: <https://secure.ethicspoint.com> (Enter "Baylor College of Medicine" as the Organization Name).

iii. Investigation.

- a. The ERT promptly investigates all allegations and reports of Harassment, Discrimination and Retaliation prohibited by this policy. Allegations of Sexual Harassment will be sent to the Title IX Coordinator or designee (i.e., trained Title IX investigator) for investigation (see the Sexual Misconduct and Other Prohibited Conduct Policy (02.2.26) for more information).
- b. Information obtained during the course of an investigation will be kept confidential to the extent possible, and will be shared only with individuals who have a "need to know" for the purposes of the investigation and resolution of the alleged violation.
- c. All BCM Community Members are expected to cooperate fully with the ERT during investigations. Failure to so cooperate with investigators may result in an adverse employment or academic action (see Section IV.E.iii.).
- d. There will be no Discrimination, or Retaliation against any BCM Community Member for making a good faith report of Harassment, Discrimination or Retaliation.
- e. BCM takes seriously and investigates all reports received, however anonymity of the reporter may hinder the results of the investigation and the College's ability to stop the behavior, remedy its effects, and prevent recurrence.

D. Disposition and Outcome

- i. After investigation concludes, the ERT will review all documentation collected, and make a determination as to whether this policy has been violated. Any documentation collected or produced by the Team and OHR pursuant to this policy is considered work product, which will not be shared with any BCM Community Member who makes a report of Harassment, Discrimination or Retaliation. In instances of Sexual Harassment, the same determination will be made by the Title IX Coordinator.
- ii. In the event of a policy violation, the ERT will make a recommendation to the appropriate supervisor(s) (e.g., Dean of Student Affairs, direct supervisor, unit head) regarding discipline and/or remedies necessary to maintain an appropriate, safe and professional work environment for persons suffering violations of this policy. The Team will provide a written summary of its findings and recommendations to appropriate supervisors for consideration and implementation.
- iii. The appropriate supervisor or supervisors must implement Team recommendations in good faith. While supervisors have some discretion in how recommendations are implemented, they do not have the discretion to reject a determination of responsibility for a policy violation or refuse to impose discipline or effectuate necessary remedies. Failure to implement ERT-recommendations in good faith may result in disciplinary action (see Section IV.E.i.). If the recommendation would be unduly burdensome to the department or office, supervisors may request an alternative resolution, subject to approval by the Team.
- iv. Supervisors who are unsure how to implement Team recommendations should consult the appropriate academic or administrative officer in their chain of command to determine appropriate next steps, and may contact the ERT for guidance.

E. Penalties

- i. Policy Violations. Violation of this policy by any BCM Community Member will result in disciplinary action, up to and including dismissal or termination of employment.
- ii. Policy Violations by Guests and Invitees (e.g., consultants). In the event of Harassment or Sexual Harassment by a guest or invitee, the College will sanction the wrongdoer. Such sanctions may include but are not limited to: termination of employment in accordance with the terms of an employment agreement, if applicable; termination of observership or other learning experience; revocation of access to BCM campus.

- iii. False Statements and Allegations. BCM Community Members who make false statements or allegations during the course of an investigation may be subject to disciplinary action, up to and including dismissal or termination of employment.

F. Grievances

- i. BCM Community Members who wish to contest findings regarding an alleged violation of this Policy, or sanctions or remedies arising from a violation of this policy may file a grievance. Please consult the appropriate grievance policy listed in Section IX for more information.

V. Responsibilities

A. The Office of Compliance is responsible for monitoring the Integrity Hotline, and triaging reports of alleged violations of this policy to the ERT.

- i. Harassment, Discrimination, or Retaliation. If the report/complaint alleges Harassment, Discrimination, or Retaliation in employment or education then investigation of that report will be overseen by the ERT, which will follow the procedures described in Section VI. For example, the ERT investigates offensive comments, slurs, or jokes about a person's race or sex, as well as employment practices or actions that unfairly impact BCM Community Members on the basis of sex (e.g., a work scheduling policy that disproportionately and unduly impacts women).
- ii. Sexual Harassment. If the report/complaint alleges Sexual Harassment in employment or education, or sex-based discrimination in education programs or activities that receive federal financial assistance, then that report/complaint will be forwarded to the Title IX Coordinator in the Office of Institutional Diversity and Inclusion for investigation and adjudication, consistent with Section IV.B., above. All BCM Community Members who allege or engage in Sexual Harassment must appeal findings of responsibility or sanctions imposed using the procedures described in the BCM Sexual Misconduct and Other Prohibited Conduct Policy (02.2.26). See Section IX for more information.
- iii. In the event that the Office of Compliance is unsure which policy has been violated, simultaneous written notice of the report will be sent to the Employee Relations Team Lead and the Title IX Coordinator, who will collaborate and determine appropriate procedures for investigation, adjudication and appeal.

B. The ERT in the OHR investigates alleged violations of this policy and makes recommendations for resolution and discipline. The ERT also provides guidance to supervisors regarding implementation of Team recommendations. Supervisors are responsible for implementation and enforcement of Team recommendations.

VI. Procedures for Implementation and Review

The ERT within the OHR will formalize existing departmental investigation and administrative notice procedures (e.g., notice to direct supervisor of policy violation) for implementation and management of this policy, and update procedures as necessary.

VII. Stakeholder Compliance

A. Guidance on Policy Scope

- i. Office of the Ombudsman. In the event of uncertainty as to the application of this policy to a particular situation, any BCM Community Member may contact the Office of the Ombudsman for help. The BCM Ombudsman is a resource who provides confidential discussion of any BCM-related concern, including interpersonal conflict or

misunderstandings, and academic or administrative concerns. Please consult the Office of the Ombudsman: Structure, Function, and Resources Policy (32.1.01) for more information. Contact the BCM Ombudsman using the following methods:

- Phone: (713) 798-5039
- Email: ombudsoffice@bcm.edu
- Website: <https://www.bcm.edu/ombuds>

B. Sexual Harassment Resources and Reporting

- i. Title IX Resources for Sexual Harassment and Other Prohibited Conduct. BCM Community Members who have suffered Sexual Harassment or any other violation of the Sexual Misconduct and Other Prohibited Conduct Policy (02.2.26), or know someone who has, will find resources available here: <https://www.bcm.edu/titleIX>
- ii. Integrity Hotline. BCM Community members may file online complaints through the Integrity Hotline Website or report by phone (as described above in Section IV.B.i.b of this policy).
- iii. Title IX Coordinator(s). The BCM Sexual Misconduct and Other Prohibited Conduct Policy (02.2.26) encourages any BCM Community Member who believes he/she has experienced Sexual Harassment to file a complaint. Complaints may be filed in-person, through interoffice mail, U.S. Mail, or email to:

Title IX Coordinator Mikiba W. Morehead, M.A. Office of Institutional Diversity and Inclusion	mikiba.morehead@bcm.edu BCM Cullen 415A Mail Stop: BCM 119 (713) 798-8137
Deputy Title IX Coordinator Sandra Dunn, M.S.W. Office of Human Resources Team Lead, Employee Relations	sadunn@bcm.edu Suite OW100 Mail Stop: BCM 325 (713) 798-5886

- iv. Security Office. BCM security personnel are available 24 hours a day, seven days a week to help BCM Community Members evaluate their options and contact the appropriate law enforcement agency. Such personnel also may take reasonable steps to create a safe environment while investigation is pending, such as no-contact orders and changes to work or academic environments, where appropriate. Administrators in the Security Office are required to report incidents and allegations of Prohibited Conduct to the Title IX Coordinator.
 - On-campus emergencies: call extension 8811 (713-798-8811)
 - Non-emergency assistance: call [BCM Security Office](#) at extension 8-3000 (713-798-3000)

VIII. Tools

- Equal Employment Opportunity Commission (EEOC) Resources
 - [What is Age Discrimination and Harassment?](#)
 - [What is Sex-Based Discrimination and Harassment?](#)
 - [Pregnancy Discrimination and Harassment?](#)
 - [Sexual Orientation or Gender Identity Discrimination and Harassment?](#)
 - [What is Disability Discrimination and Harassment?](#)
 - [What is Genetic Information Discrimination?](#)
 - [What is National Origin Discrimination and Harassment?](#)
 - [What is Race/Color Discrimination and Harassment?](#)
 - [What is Religious Discrimination and Harassment?](#)

IX. Related Policies

- [BCM Code of Conduct](#)
- [02.2.26 – Sexual Misconduct and Other Prohibited Conduct](#)
- [02.5.26 – Staff Grievance Procedures](#)
- [02.5.25 – Faculty Grievance Procedures](#)
- [23.1.07 – Student Disability Policy](#)
- [23.1.08 – Student Grievances](#)
- [27.4.12 – Grievances \[for Residents and Fellows only\]](#)
- [27.6.1 - Adverse Actions Definition](#)
- [27.6.2 - Appeal of Adverse Actions](#)
- [31.2.02 – Integrity Hotline Policy: Reporting Improper Activity or Wrongdoing](#)
- [32.1.01 – Office of the Ombudsman: Structure, Function, and Resources](#)

X. Applicable Laws, Regulations & Standards

- [Title VII of the Civil Rights Act of 1964, 42 U.S.C. §2000e - §2000e-17](#)
- [Age Discrimination in Employment Act of 1967, 42 U.S.C. §621 - §634](#)
- [Genetic Information Nondiscrimination Act of 2008](#)
- [Americans with Disabilities Act of 1990 \(ADA\) & 2008 Amendments to the ADA](#)

Policy Background

Policy Sponsor Name, Title	Human Resources-Employee Relations Team Lead, and the BCM Title IX Coordinator
Subject-Matter Expert (Name, Title/ Expertise, Date)	Outside Legal Counsel (Joshua W. B. Richards, JD, Vice-Chair Higher Education Practice Group, Saul Ewing LLP), September 21-22, 2016
Approval Authority	Board of Trustees

Document History

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Date Endorsed by IPC	September 7, 2016
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Date Endorsed by Executive Compliance Committee or Risk Management, if applicable	N/A
Date Endorsed by the Academic Council, if applicable	September 12, 2016
Date Endorsed by the Faculty Senate	The Faculty Senate comment period ran from September 15, 2016- Sept. 29, 2016.
Date Approved by Approval Authority	September 28, 2016
Date Approved by Board of Trustees	September 28, 2016
Effective Date (date policy takes effect)	September 28, 2016
Last Revised Date (date of previous version)	August 17, 2004
Next Scheduled Policy Review Date	September 30, 2018
Stakeholder Communication Method & Date	Faculty Commons Newsletter; News Link Newsletter
Policy Location	Policies and Procedures Manual (intranet)
Revision History	Revision Purpose: Tracking: